UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/25289
13 February 1993

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON THE IMPLEMENTATION OF SECURITY COUNCIL RESOLUTION 792 (1992)

1. The present report is submitted to the Security Council in pursuance of paragraph 21 of resolution 792 (1992), by which the Council requested me to report no later than 15 February 1993 on the implementation of that resolution and on any further measures that might be necessary and appropriate to ensure the realization of the fundamental objectives of the Paris Agreements on Cambodia (see S/23177, annex).

2. In accordance with paragraph 10 of resolution 745 (1992), I submitted to the Security Council on 25 January 1993 my third progress report on the United Nations Transitional Authority in Cambodia (UNTAC) (S/25124). The present report should be read in conjunction with the third progress report.

I. MEETINGS OF THE SUPREME NATIONAL COUNCIL

3. On 28 January 1993, His Royal Highness Prince Norodom Sihanouk chaired a meeting of the Supreme National Council of Cambodia in Beijing. During this meeting, the Supreme National Council agreed that, in accordance with paragraph 5 of resolution 792 (1992), the elections for the constituent assembly should be held from 23 to 25 May 1993 (see sect. VII below). The Supreme National Council also approved seven additional rehabilitation projects totalling $25 million, reviewed the status of the implementation of the moratorium on the export of logs and considered a similar moratorium on the export of minerals and gems (see sect. V below).

4. In addition, the Supreme National Council discussed the possibility of issuing a declaration denouncing all acts of violence, urging self-restraint on the Cambodian parties and calling for an end to violence directed against UNTAC. The representative of the Party of Democratic Kampuchea (PDK) objected to the adoption of such a declaration, but Prince Sihanouk decided that he would issue a statement in his own name, noting that three of the four Cambodian parties supported it (see annex I).

5. Prince Sihanouk also used the occasion to express renewed support for UNTAC and assured the meeting that he would continue to cooperate with the United Nations in the implementation of the Paris Agreements. He informed my Special Representative that he would be returning to Phnom Penh on 9 February 1993.

6. On 10 February 1993 the Supreme National Council met again in Phnom Penh, for the first time since October 1992. The agenda of the meeting, which was chaired by Prince Sihanouk, included items on a neutral political environment and the preservation of Cambodia's natural resources. The results of that meeting, as well as those of the meeting of 28 January, are discussed in more detail below.

II. THE MILITARY SITUATION

7. Since my third progress report, the Cambodian People's Armed Forces (CPAF), the army of the Party of the State of Cambodia (SOC), have launched attacks on the National Army of Democratic Kampuchea (NADK), the armed forces of PDK, in a number of districts. Exchanges of artillery and mortar fire between CPAF and NADK as well as movements of troops by the two forces have also occurred. These activities focused on two broad areas: west-central Battambang province and north-western Kompong Thom/south-central Preah Vihear provinces. Smaller actions have taken place in Kratie and Siem Reap provinces. Using combinations of artillery, armoured vehicles and tanks, CPAF has drawn closer to the PDK-held district town of Pailin in the province of Battambang. UNTAC has protested these moves which, taken together, constitute a serious cease-fire violation. My Special Representative has called on SOC to desist from violating the cease-fire and to exercise self-restraint. CPAF has since drawn back from the furthest point of its advance and, while tension persists and cease-fire violations continue to occur, the situation is now calmer. Mr. Hun Sen has called for UNTAC forces to interpose themselves between the two sides as a "buffer zone", but this could be done only with the consent and cooperation of both parties. PDK has reiterated its position that it will not permit UNTAC to establish itself in its zone unless its conditions for joining the peace process are met.

8. It should be recalled in this context that PDK has failed to comply with the military provisions of the Paris Agreements and that NADK, as noted in my third progress report (S/25124, para. 36), had attempted to consolidate its gains and interrupt CPAF's communications. Under such circumstances, the Phnom Penh authorities have asserted that they had the right to protect themselves against any offensive action by NADK. UNTAC has pointed out, however, that CPAF's recent moves have exceeded the bounds of self-defence.

9. Over the past few weeks, and especially since the CPAF attacks in the Pailin area, NADK has tightened restrictions on the group of 12 UNTAC personnel deployed in the town, who include military observers, mine-clearance personnel, signals staff and interpreters. At one time they were subject to virtual house arrest. These restrictions have eased somewhat following UNTAC

protests, but the situation is not yet satisfactory. My Special Representative has made it clear to PDK that the UNTAC personnel in Pailin must be permitted to carry out their normal duties without let or hindrance.

10. Paragraph 18 of resolution 792 (1992) requests me to consider the implications for the electoral process of the failure by PDK to canton and demobilize its forces and, in response to this situation, to take all appropriate steps to ensure the successful implementation of the electoral process.

11. Paragraphs 39 to 43 of my third progress report describe the steps taken by the Military Component when it became clear that it would not be possible to implement cantonment and disarmament. The most important aspects of the resulting redeployment involved the protection of the registration exercise and activities in support of a neutral political environment. They are described in the relevant sections. The Military Component's dispositions for the protection of the election itself will be discussed in more detail in the fourth progress report, which is due in April 1993.

III. CREATION AND MAINTENANCE OF A NEUTRAL POLITICAL ENVIRONMENT

12. Paragraph 95 of my third progress report described the three categories into which threats to public order in Cambodia can be divided: politically motivated attacks on political party offices and staff; attacks on Vietnamese-speaking persons; and killings that seem to have no particular political motivation but which spread a climate of fear and intimidation. Subsequent paragraphs of that report described the violent incidents that had occurred, as well as the measures undertaken by UNTAC to counter them. On 1 February 1993, as a further refinement of these measures, UNTAC Civilian Police, in consultation with the Military Component and with the cooperation of the Cambodian police, instituted static guarding of political party offices considered to be most at risk during the hours of darkness, when attacks are most likely.

13. Scores of incidents of political or ethnic violence, which have resulted in some 60 deaths since August 1992, as well as acts of harassment and intimidation, have also been reported to UNTAC officials. Responsibility for the killings of Vietnamese-speaking persons has generally been attributed to NADK elements, while investigations carried out by UNTAC indicate that the great majority of attacks on political party offices and members are attributed to soldiers, police or supporters of SOC. The broad picture that emerges from the figures is that incidents of violence and intimidation peaked in December 1992, after rising through October and November, but fell significantly in January 1993. However, political violence seems to have increased somewhat in early February with the detention of four members of the Front uni national pour un Cambodige indépendent, neutre, pratique et coopératif (FUNCINPEC) in Battambang and an attack on Bakan district, Pursat

Province, on the night of 8-9 February 1993, which caused the deaths of five local civilians. UNTAC premises and property were also damaged in the attack, but there were no UNTAC casualties. Many of the incidents have been concentrated in the provinces of Battambang and Kompong Cham, and the victims in the vast majority of cases were members of FUNCINPEC.

14. Other acts of violence that may or may not be politically motivated continue. Late at night on 12 January, an armed band of some 40 men attacked the village of Phum Angkrong in Siem Reap Province, killing three Cambodians, including two UNTAC electoral workers. My Special Representative condemned the attack, which was carried out by persons unknown. On 27 January 1993, approximately 3 kilometres north-east of Phum Angkrong, about 10 to 15 armed assailants killed 8 Cambodians - 4 men and 4 women - and injured 12 others. UNTAC Civilian Police are investigating these attacks amid indications that NADK elements may have been responsible for both of them.

15. As described in my third progress report (para. 103), my Special Representative established on 6 January a special UNTAC office with powers to arrest, detain and prosecute persons accused of politically motivated criminal acts and human rights violations. UNTAC has since instituted proceedings against two suspects arrested by it and now held in its custody. The first is a police officer of SOC, who has been charged with the murder of a FUNCINPEC party official. The second is a member of NADK, who is charged, on the basis of his confession, with the murder of 13 ethnic-Vietnamese Cambodians and 2 other Cambodians.

16. Following the discussions my Special Representative had with Mr. Hun Sen in January, Mr. Chea Sim, president of the "national assembly" of SOC, called on the local authorities to take all necessary measures to protect offices of political parties, thwart all forms of criminal activity and safeguard public security. My Special Representative has urged leaders of all political parties to help to create in the minds of their followers tolerance for peaceful political competition and to ensure adherence to the code of conduct during the forthcoming political campaign.

17. Maintenance of a neutral political environment has also been tested by a propaganda campaign by the Phnom Penh administration against UNTAC through television, radio and the party newspaper. While attacks against UNTAC on the PDK radio have been common and have become increasingly hostile for several months, the SOC campaign began fairly recently. The motive appears to be to spread the message that only SOC can defend the country against PDK and so deserves electoral support, while UNTAC cannot be trusted to protect Cambodians. In fact, the Military Component has strengthened its anti-banditry patrols in the remoter parts of the country and reinforced its support for other components and for the electoral process. It is deployed in some 270 locations throughout Cambodia. Military patrols are also supplementing the other measures taken by UNTAC to protect political party offices deemed to be at risk of attack. Civic action programmes undertaken by the Military Component in the more remote regions of the countryside reinforce these messages of UNTAC's commitment to the Cambodian people.

IV. NON-COOPERATION OF THE PARTY OF DEMOCRATIC KAMPUCHEA

18. On 27 January 1993, my Special Representative met in Beijing with Mr. Khieu Samphan, President of PDK, in a renewed effort to secure his party's cooperation with UNTAC. Mr. Akashi recalled the relevant provisions of Security Council resolution 792 (1992), especially paragraph 5, which stated that UNTAC should proceed to conduct free and fair elections in all parts of Cambodia to which it had full access as at 31 January 1993. He stressed that the elections were designed to produce a peaceful, stable and united Cambodia and that it was in the long-term interests of PDK to take part. However, Mr. Khieu Samphan insisted that the conditions stated by his party - the removal of foreign forces from Cambodia, the granting of greater powers to the Supreme National Council and full UNTAC control over the five areas of foreign affairs, national defence, public security, finance and information specified in the Paris Agreements - be fulfilled before his party would join the peace process.

19. As noted in my third progress report, PDK has remained unwilling to guarantee access to the zones under its control for the purpose of voter registration. However, on some occasions NADK soldiers and officers registered and assisted or allowed other people living in PDK zones to register. Neither PDK nor the political party whose formation it announced in November 1992, the National Unity of Cambodia Party (NUCP), applied for official registration to take part in the elections for the constituent assembly.

V. BORDER CONTROL AND THE PRESERVATION OF CAMBODIA'S NATURAL RESOURCES

20. By paragraphs 10, 12, 13 and 14 of its resolution 792 (1992), the Security Council adopted a number of measures aimed at protecting the natural resources of Cambodia, particularly timber, minerals and gems, and at improving the implementation of article VII of annex 2 of the Paris Agreement.

21. In accordance with those provisions, UNTAC appealed to neighbouring countries to assist in the implementation of the moratorium. Towards the end of December 1992, the Governments of the Lao People's Democratic Republic, Thailand and Viet Nam all announced that they would impose a complete ban on the import of logs from Cambodia beginning 1 January 1993. In a letter dated 5 January 1993, Mr. Hun Sen also informed UNTAC that the necessary orders had been given to all competent organs of the Phnom Penh authorities regarding the ban on the export of logs.

22. In addition, UNTAC deployed border control teams to monitor closely any violations of the moratorium by land or sea. Regrettably, numerous and large-scale violations, by both routes, have continued to occur, as indicated below. Furthermore, UNTAC's efforts to establish an additional 9 check points along the border with Thailand, which would raise to 17 the number of check points on that border, have proved unavailing. The part of the border which

remains to be covered lies within the zone controlled by PDK, which has refused to permit the establishment of check points there. The figures below therefore do not include the bulk of log exports from the PDK zone.

23. United Nations observers at the check points recorded a total of 46 violations of the moratorium between 1 January and 5 February 1993, with 46,507 cubic metres of logs being transported by personnel belonging to three of the Cambodian parties to seven known destinations, as follows:

Party	Number of consignments	Volume of wood (cubic metres)
SOC	42	46 042
PDK	3	150
FUNCINPEC	1	315
Khmer People's National Liberation Front	0	0
Total	46	46 507

Destination	Number of consignments	Volume of wood (cubic metres)
Thailand	21	21 802
Viet Nam	7	1 871
Lao People's Democratic Republic	4	5 018
Japan	3	11 600
Singapore	1	1 500
Pakistan	1	3 114
Hong Kong	1	30
Unknown	8	1 572
Total	46	46 507

24. In approving the moratorium on log exports on 22 September 1992, the Supreme National Council agreed at the same time to place the export of sawn timber under the control and monitoring of UNTAC in close consultation with the Supreme National Council. At the meeting of the Supreme National Council on 10 February 1993 it was agreed, on the proposal of UNTAC, that the Technical Advisory Committee dealing with this question should determine a ceiling on the export of sawn timber in 1993 which would result in a significant decrease in the number of trees felled.

25. At the meeting on 28 January 1992, UNTAC proposed, in pursuance of paragraph 14 of resolution 792 (1992), the adoption by the Supreme National Council of a moratorium on the export of minerals and gems from Cambodia, to enter into force as from 28 February 1993. This draft declaration, amended on the proposal of FUNCINPEC to include the commercial extraction of mineral resources onshore and offshore, had received the support of three of the four Cambodian parties in the Technical Advisory Committee, but objections were expressed by PDK. The question was raised again at the Supreme National Council meeting on 10 February 1993, and it was decided to adopt the moratorium despite continued objection by PDK.

26. By paragraph 10 of its resolution 792 (1992), the Security Council called on those concerned to ensure that measures were taken to prevent the supply of petroleum products to the areas occupied by any Cambodian party not complying with the military provisions of the Paris Agreements, and requested me to examine the modalities of those measures.

27. As noted in my previous reports, PDK has failed to comply with the military provisions contained in the Paris Agreements, especially cantonment and disarmament. Accordingly, UNTAC has entered into discussions with the Government of Thailand, which borders on most of the zones controlled by PDK, regarding the implementation of that provision.

28. Pursuant to those discussions, the Thai authorities have announced that petroleum shipments from Thailand to Cambodia have been suspended. Procedures are being put in place that would allow, under UNTAC monitoring, a controlled volume of petroleum from Thailand to enter the zones of those parties fulfilling their responsibilities under the Paris Agreements. Shipments through other borders will continue, but will be closely monitored. Internal movements of petroleum products will be controlled by SOC. To deter violations of the ban, all roads into the relevant areas are to be patrolled and mobile check points established under UNTAC monitoring.

29. In the broader context of border control, UNTAC's involvement will be diversified with the deployment of Civil Administration staff to monitor other areas such as customs and immigration control. The 21 check points now in operation are each manned by an UNTAC team comprising military observers, armed soldiers and civilian police with communication support facilities. All the Cambodian parties have been invited to send representatives and all except PDK are represented at the check points.

VI. REHABILITATION ASSISTANCE

30. By paragraph 20 of its resolution 792 (1992), the Security Council invited the States and international organizations providing economic assistance to Cambodia to convene a meeting to review the current state of such assistance, in the wake of the Ministerial Conference on Reconstruction and Rehabilitation of Cambodia held in Tokyo in June 1992.

31. At the Supreme National Council meeting of 28 January 1993 held in Beijing, my Special Representative announced that some $540 million of the $880 million pledged at the Conference had now been committed for specific rehabilitation activities. He informed the Supreme National Council, however, that UNTAC was concerned about the actual level of disbursements, which currently stand at $95 million. The lack of funding for certain sectors of specific activities, including training and the maintenance of essential social services, also gave rise to concern that those deficiencies might compromise the overall rehabilitation effort.

32. To address those concerns, and in pursuance of Security Council resolution 792 (1992), informal consultations were held with donors in New York and Phnom Penh to discuss the holding of a meeting to review rehabilitation efforts. As a result of these consultations, it was agreed that a technical-level meeting of donors should be held in Phnom Penh on 25 February 1993 with the participation of the Cambodian parties and of all countries and organizations providing assistance to Cambodia, including non-governmental organizations. The meeting will assess the commitments made by the end of January 1993 against the pledges made in Tokyo; review the constraints in the disbursement of these commitments; and consider the priority needs that had emerged since the Tokyo Conference. The meeting will also prepare the ground for the holding, following the Cambodian elections, of the first session of the International Committee on the Reconstruction of Cambodia (ICORC), in accordance with the Tokyo Declaration of 22 June 1992 (S/24183).

VII. ELECTORAL MATTERS

33. At the meeting of the Supreme National Council on 28 January 1993, Prince Norodom Sihanouk announced that he had decided not to advance his candidacy for presidential elections before or simultaneously with the constituent assembly elections. Instead, he wished to wait until the new Constitution had been adopted before holding the elections, so that the President could be elected in accordance with the modalities, the term of office and powers laid down in the Constitution.

34. As regards the elections for the constituent assembly, the members of the Supreme National Council agreed that they would be held from 23 to 25 May 1993. It is foreseen that, during this period, there will be voting at fixed polling stations. UNTAC anticipates, however, that two additional days of voting at mobile polling stations will be required in order to ensure that

every registered voter has the chance to vote. It is therefore expected that polling will take place from 23 to 27 May.

35. As indicated in my third progress report, voter registration ended on 31 January 1993, except for the registration of those refugees and displaced persons who have not yet been able to return to Cambodia. Of the 360,000 refugees and displaced persons who were in the border camps, some 80,000 remain, of whom about half are eligible to vote. Special arrangements are being made to enable the latter to register. In addition, registration was extended in a limited number of locations in Cambodia for a few days, in order to accommodate villagers who had not had the chance to register.

36. The voter registration exercise was extremely successful, with a provisional total of 4,640,000 voters registered throughout Cambodia. In many cases the number of voters registered exceeded the estimated total calculated by the Advance Electoral Planning Unit in its nationwide survey conducted in the first half of 1992. This is the result partly of undercounting in the statistics on which the survey was based and partly of the influx of returnees. While it is possible that multiple registration by some applicants may have been a further factor, it has been made clear to the Cambodians that strict voting procedures will ensure that no one can vote more than once, irrespective of how many times he or she may have registered.

37. As explained in the third progress report, there is a time-lag in the recovery and input of registration information by the UNTAC electoral computer centre. By 1 February, some 4,029,000 registrants had been entered into the Electoral Component computers. Data-entry clerks are now entering about 250,000 registrants into the system each week, and it is anticipated that the finalized and verified voters' list will be produced by mid-April.

38. On 27 January, a total of 20 out of the 22 provisionally registered political parties had applied for official party registration in accordance with the Electoral Law. The official registration process involves the submission of the names and voter registration numbers of 5,000 registered voters who are members of the party concerned. The Electoral Component is now in the process of verifying those names and numbers. When verification is complete, the names of the parties that have successfully completed the registration procedure will be announced and those parties will be entitled to appear on the ballot paper. The Cambodian People's Party (SOC), FUNCINPEC and the Buddhist Liberal Democratic Party (Khmer People's National Liberation Front (KPNLF)), representing three of the four Cambodian parties which were signatories to the Paris Agreements, have applied for official registration but, as noted above, PDK did not do so. The name of that party will therefore not appear on the ballot paper. The registered parties have been requested to name lists of candidates for each province.

39. Much thought has been given to the timing and duration of the political campaign. According to the implementation plan (S/23613), the duration of the campaign was set tentatively at six weeks, beginning in early March. However, now that the date of the election has been set for late May, it is necessary

either to extend the campaign or to start later. Divergent considerations bear on this question. The longer the campaign goes on, the greater the risk that it may be marred by interparty violence. On the other hand, a short campaign may give an advantage to one party to the detriment of others. At the 10 February Supreme National Council meeting, therefore, UNTAC announced that it had decided that the campaign would begin on 7 April 1993 and last until 19 May 1993, when a four-day cooling-off period would take place before polling. UNTAC would make its information and broadcasting facilities available to all political parties in order to ensure fair access to the media.

VIII. POST-ELECTORAL SECURITY

40. In paragraph 19 of its resolution 792 (1992) the Security Council requested me to investigate and report upon the implications for security in post-election Cambodia of the possible incomplete implementation of the disarmament and demobilization provisions of the Paris Agreements. It is obviously of the greatest importance that peaceful conditions should prevail during the three months which the Paris Agreements give the Constituent Assembly to complete its tasks of drafting and adopting a new Cambodian Constitution and transforming itself into a legislative assembly, which will form a new Cambodian Government.

41. Under the Paris Agreements it was envisaged that peaceful conditions during this period would be assured by the cantonment of all the forces of the parties, the demobilization of at least 70 per cent of them before the end of voter registration and the continuing cantonment of the remainder, pending their demobilization before or shortly after the elections or their incorporation into a new national army, as decided by the newly elected Government. Regrettably, the decision of PDK not to enter into phase II of the cease-fire will almost certainly make it impossible to apply the above-described arrangements. The elections seem likely to take place at a time when the two biggest armed forces of the parties will remain largely intact and the other two parties will also still have some of their forces in the field. Recent weeks have demonstrated the risk that this state of affairs can lead to major hostilities; evidently that risk could become greater after the elections.

42. The Paris Agreement, in article V of annex 2, provides that the ultimate disposition of any forces which have not been demobilized by the time the newly elected Government formed in accordance with article 12 of that Agreement takes office will be a matter for decision by that Government. The Agreement further provides that such forces should either be incorporated into a new national army or be demobilized forthwith according to a plan to be prepared by my Special Representative. It is to be assumed that the new Constitution will contain provisions for the formation of the new national army, as well as transitional provisions for disposing of non-demobilized forces in accordance with the Paris Agreements, including the role foreseen therein for UNTAC.

43. As regards the interim period between the elections and the formation of the new Government, there are broadly two possibilities:

(a) All four Cambodian parties agree, belatedly, to implement the cantonment and demobilization procedures provided for in annex 2 of the Paris Agreement;

(b) All four parties, to a greater or lesser extent, maintain their forces in the field, as at present, and UNTAC continues to use its best endeavours to ensure that the cease-fire is respected.

In either case, the maintenance of law and order would remain the responsibility of the civil police of the existing administrative structures, under the supervision and control of UNTAC.

44. Of these two possibilities, the first is clearly the preferable one. I shall continue to use my good offices, in consultation with the Co-Chairmen of the Paris Conference and other interested Member States, to make it possible. If those efforts fail, it will be necessary to keep UNTAC's Military and Civilian Police Components in being, at a greater strength than previously foreseen, until the Constituent Assembly has completed its work and the new Government has been formed. I shall, in due course, present appropriate recommendations to the Security Council in this regard, on the basis of my Special Representative's assessment of the military and police personnel he would require for this purpose. The Security Council may also find it necessary, at a later stage, to consider whether the elected Government should, if it so wishes, continue to receive international support in maintaining internal security after the new Government is formed and, in accordance with the Paris Agreements, the transitional period and UNTAC's mandate come to an end.

IX. OBSERVATIONS

45. Although the peace process continues to encounter serious problems, progress has been made in implementing resolution 792 (1992). Dates have been set for a constituent assembly election in May, and UNTAC is proceeding on schedule with electoral preparations in all areas of Cambodia to which it had access as at 31 January 1993; the Supreme National Council has resumed meetings in Phnom Penh under the chairmanship of His Royal Highness Prince Norodom Sihanouk; measures are being taken to prevent the supply of petroleum to PDK, since it has failed to comply with the military provisions of the Paris Agreements; and UNTAC has strengthened its border control system and its monitoring of compliance with the provisions relating to the export of logs. In the last-mentioned matter, UNTAC has requested full cooperation from neighbouring States, and expects that such cooperation will be forthcoming so that this important decision of the Supreme National Council can be implemented.

46. However, the response of some of the Cambodian parties to resolution 792 (1992) has not been satisfactory. I must stress in this context that, as signatories to the Paris Agreements, the Cambodian parties have the primary responsibility for their implementation and that the future stability and well-being of Cambodia depends on the Cambodians themselves. While the United Nations, acting principally through UNTAC, will continue to do everything in its power to assist them, the Cambodian parties cannot expect the international community to succeed where they themselves fail.

47. Prince Sihanouk, in issuing a Declaration condemning all acts of violence against Cambodians or foreigners, including United Nations personnel, has set a lead for all Cambodian parties to follow. The Security Council may wish to issue a similar call, broadening the demand that was contained in paragraph 17 of its resolution 792 (1992). The Council may wish further to call on the three parties which aligned themselves with the Declaration to continue their close cooperation with UNTAC and prevent or punish acts of violence, particularly when they are politically motivated.

48. SOC has offered substantial cooperation to UNTAC since the operation began, but in more recent months there have been serious difficulties relating to the maintenance of law and order in the areas under its control and the protection of the staff and offices of other political parties engaged in lawful political activity. CPAF has also launched military attacks against NADK, which go beyond its right to defend itself against hostile action by the latter. SOC should desist from any further offensive military action and redouble its efforts to prevent attacks and intimidation directed against other political parties.

49. As for PDK, by failing to admit UNTAC to its zones and to register for the elections within the relevant time-frames, that party has again failed to avail itself of the many opportunities offered to it by UNTAC and the interrational community to keep the door open for it to rejoin the peace process. The United Nations position regarding the PDK's two main conditions for rejoining the peace process has been repeatedly stated in my previous reports and elsewhere. It goes without saying that UNTAC will continue to exert its best efforts to fulfil its mandate under the Paris Agreements in all its aspects.

50. At the same time, I think it important to resist any pressure to exclude PDK representatives from the Supreme National Council. The framework of the Paris Agreements, despite the damage done to it by the failure of some of the Cambodian signatories to meet their obligations in full, still offers, I am convinced, the best hope for a solution to the problems of Cambodia. This is particularly so with regard to the need to promote national reconciliation.

51. In my third progress report, I informed the members of the Security Council that, in view of Prince Sihanouk's intention to participate in the presidential election referred to in paragraph 3 of resolution 792 (1992), I had asked my Special Representative to proceed immediately with the necessary

technical preparations. I also stated that I would submit to the Council, in the present report, further recommendations regarding the modalities for the organization and conduct of such an election. However on 28 January 1993, as indicated in section VII above, Prince Sihanouk informed the members of the Supreme National Council that he had decided that the presidential election should be held after the adoption of the new Cambodian Constitution by the Constituent Assembly. I informed the President of the Security Council of this development in a letter which I addressed to him on 1 February 1993 (S/25273).

52. I continue to believe that the holding of a presidential election, in conjunction with the constituent assembly elections scheduled to be held from 23 to 27 May 1993, could have enhanced the prospects for national reconciliation in Cambodia and provided a critical element of stability during the rest of the transitional period. However, I understand and respect the reasons that have led Prince Sihanouk to conclude that the holding of a presidential election should be deferred. The preparations undertaken by UNTAC in this regard have therefore been put on hold.

53. The imperative need for UNTAC now is to maintain the momentum towards the holding of constituent assembly elections starting on 23 May. To that end, UNTAC will redouble its efforts to improve the political environment and to prevent further cease-fire violations. I have also instructed my Special Representative to assess post-election security requirements and submit his recommendations to me. UNTAC will also continue to encourage and assist the Supreme National Council in its work on the constitutional principles so as to prepare a foundation for the new Government.

54. As the implementation of the Paris Agreements, to which the international community has devoted so much effort and resources, approaches a crucial stage, it is ever more essential that all the Cambodian parties comply fully with their obligations under those Agreements. Only thus will the Cambodian people be enabled to exercise the right to determine their own future and restore Cambodia to peace and stability.

Annex I

[Original: French]

Statement by Norodom Sihanouk, Chief of State and President of the Supreme National Council of Cambodia

(Beijing, 28 January 1993)

At the conclusion of today's important working meeting of the Supreme National Council-UNTAC-representatives of the "permanent 5", I have the honour to make the following statement, both in my own name and on behalf of the Supreme National Council members belonging to KPNLF-BLDP, to FUNCINPEC, and to the Cambodian People's Party (State of Cambodia):

I. We, the President of the Supreme National Council and members of the Council belonging to the three above-mentioned factions and parties, condemn all acts and all forms of violence (politically motivated assassinations, racist crimes, harassments, intimidation, threats, political terrorism, etc.) against Cambodians or foreign persons in Cambodia. And we ask all political parties, all armed or non-armed factions and everyone constantly to display self-restraint in their attitudes, their acts and their relations vis-à-vis or with others.

II. We condemn any act which threatens the dignity, fundamental freedoms, rights, security and personal safety of any member of UNTAC, whether civilian or military.

We ask all political parties and all armed or non-armed factions in Cambodia scrupulously to respect the life, safety and fundamental freedoms of all UNTAC civilian and military members, at all levels.

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/25290
15 February 1993
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 12 FEBRUARY 1993 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF IRAQ TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I should like to inform you that United States aircraft continued their violations of Iraqi airspace for purposes of reconnaissance and provocation, as follows:

At 1230 hours on 6 February 1993, one of the hostile aircraft flying at a low altitude dropped a container of heat flares on an area three kilometres south-west of Al-Zubayr, setting fire to the trees in that area.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Adnan MALIK
Chargé d'affaires a.i.

93-08901 4109b (E) 160293 160293

160293

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/25291
16 February 1993
ENGLISH
ORIGINAL: SPANISH

LETTER DATED 16 FEBRUARY 1993 FROM THE PERMANENT REPRESENTATIVES OF FRANCE, SPAIN AND THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

We have the honour to transmit to you the English and French texts of the Statement on American steps to promote peace and a political settlement in former Yugoslavia, adopted by the European Community and its member States on 12 February 1993.

We should be grateful if you would have this letter and its annexes circulated as a document of the Security Council.

(Signed) Juan A. YANEZ-BARNUEVO
Permanent Representative
of Spain

(Signed) Jean-Bernard MERIMEE
Permanent Representative
of France

(Signed) Sir David HANNAY, KCMG
Permanent Representative of
the United Kingdom of Great
Britain and Northern Ireland

93-09055 3866f (E) 160293 160293 160293

/...

Annex

[Original: English/French]

Statement on American steps to promote peace and a political settlement in former Yugoslavia

(Copenhagen and Brussels, 12 February 1993)

"The European Community and its member States welcome the initiative by the United States towards a more active involvement in the international efforts to promote peace and a political settlement of the conflict in the former Yugoslavia supporting and building upon the negotiating efforts of the co-chairmen, as announced on 10 February by Secretary of State Warren Christopher. With its emphasis on a negotiated settlement to the conflict, it is in line with the policy pursued by the European Community and its member States since the conflict began.

"The European Community and its member States further welcome the appointment of Ambassador Reginald Bartholomew as U.S. envoy to the peace negotiations, conducted under the aegis of the United Nations and the European Community and its member States. His close cooperation with the co-chairmen will contribute to the achievement of the common goal.

"It is essential that continued full support for the efforts of the co-chairmen be maintained and that momentum in the negotiations be upheld. Discussions within the United Nations Security Council must be pursued and intensified. Pressure must continue to be brought on all parties to agree on the still unresolved questions concerning the future settlement in Bosnia-Herzegovina and other unresolved issues in the former Yugoslavia. The American initiative is an important contribution to these efforts.

"The European Community and its member States look forward to close cooperation with the U.S. in the pursuit of a negotiated settlement and in its implementation, in which regional organizations will have an important role."

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/25292
16 February 1993

ORIGINAL: ENGLISH

NOTE VERBALE DATED 11 FEBRUARY 1993 FROM THE PERMANENT MISSION OF PAKISTAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of Pakistan to the United Nations presents its compliments to the Secretary-General of the United Nations and, with reference to his note of 26 October 1992 concerning the implementation of paragraph 4 of Security Council resolution 778 (1992), has the honour to state that the appropriate authorities have confirmed that Iraqi petroleum and petroleum products are not being imported and that no financial assets related thereto are being held in Pakistan.

93-09082 (E) 170293

170293

UNITED
NATIONS

A S

General Assembly Security Council

Distr.
GENERAL

A/47/889
S/25293
16 February 1993

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-seventh session
Agenda item 143
THE SITUATION IN BOSNIA AND HERZEGOVINA

SECURITY COUNCIL
Forty-eighth year

Letter dated 16 February 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Turkey to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith the text of a statement made by the Turkish Ministry of Foreign Affairs on 12 February 1993 concerning the recent initiative of the United States of America on Bosnia and Herzegovina (see annex).

I would be grateful if this letter and its annex could be circulated as a document of the General Assembly, under agenda item 143, and of the Security Council.

(Signed) Tahsin BURCUOĞLU
Deputy Permanent Representative
Chargé d'affaires a.i.

ANNEX

Statement dated 12 February 1993 of the Turkish Ministry of Foreign Affairs

We welcome the decision of the new Administration of the United States of America to become actively engaged to bring about an immediate end to the ongoing crisis and conflict in the former Yugoslavia.

In his statement on this subject, the United States Secretary of State correctly identified the causes of the crisis and the elements of the present situation. We share the views of the United States Administration that a solution cannot be imposed upon the parties in Bosnia and Herzegovina and that efforts must be made to enable the parties to agree to a solution by their own free will. We sincerely hope that the steps and measures envisaged by the United States Administration will succeed in bringing about a just and lasting solution, fully safeguarding the rights and the existence of the people and the Republic of Bosnia and Herzegovina.

Up to now, the plans seeking a comprehensive settlement have proved inadequate and the efforts to this end have remained fruitless. The main reason for the inability of the international community to restore peace in Bosnia and Herzegovina has been the rejection of a limited military intervention as an option to stop Serbian aggression. At this stage, it is obviously desirable that the political measures envisaged by the United States in bringing about peace will render the eventual use of force unnecessary. Turkey is prepared to give full support to the positive and determined approach of the United States to end the carnage in Bosnia and Herzegovina and alleviate the suffering of its people.

UNITED NATIONS

A S

General Assembly Security Council

Distr.
GENERAL

A/47/890
S/25294
16 February 1993

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-seventh session
Agenda items 30, 35, 73 and 74
QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST
UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST
REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER ARABS OF THE OCCUPIED TERRITORIES

SECURITY COUNCIL
Forty-eighth year

Letter dated 16 February 1993 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General

I am instructed by the Executive Committee of the Palestine Liberation Organization, which retains the powers and responsibilities of the Provisional Government of Palestine, to bring the following to your attention.

Some media organizations have misinterpreted the proceedings of the Security Council and the comments made by the President of the Council to the media on Friday, 12 February 1993, following the informal consultations of the Council on the issue of Israel's deportation of more than 400 Palestinian civilians. Furthermore, several Israeli officials mispresented those comments in an attempt to show that there had been a change in the position of the Council or a departure from the terms of resolution 799 (1992). However, to our knowledge, as the party concerned with the issue, there is no Security Council document or anything on the records of the Council that would indicate any formal action taken by the Council on Friday, 12 February 1993, or on any other date since the adoption of resolution 799 (1992). We trust that all members of the Security Council stand by their unanimous vote for resolution 799 (1992), and that they remain faithful to their duties under the Charter of the United Nations and to the principles of international law.

The proceedings of Friday, 12 February 1993, and the escalating campaign of terror and repression by Israel, the occupying Power, against the Palestinian people in the occupied Palestinian territory, including Jerusalem, the last example of which was the destruction of 22 homes in Khan Yunis on 11 February 1993, both require speedy action by the Council. We reiterate our positions, as stated in our letter to you on 11 February 1993 (A/47/888-S/25282), and once more urge the Security Council to consider urgently the report presented to the Council by you (S/25149), in accordance with Council resolution 799 (1992), with the aim of adopting specific measures to guarantee respect of the decisions of the Council and of putting an end to the agony and suffering of the Palestinian people.

I would be grateful if you could arrange to have the text of the present letter distributed as an official document of the General Assembly, under agenda items 30, 35, 73 and 74, and of the Security Council.

(Signed) Nasser AL-KIDWA
Permanent Observer of
Palestine to the United Nations

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/25295
16 February 1993
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 10 FEBRUARY 1993 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to my progress report to the Security Council on the situation in Somalia (S/25168), in which I discussed, inter alia, the transition from the operations of the Unified Task Force (UNITAF) to the United Nations Operations in Somalia (UNOSOM II) (paras. 16 and 17).

I stated in this connection that a new Force Commander would be appointed shortly so that he could participate effectively in the planning for the transition as well as the transfer of the operation from UNITAF to UNOSOM II.

I should like to inform the Security Council that, with its approval, I intend to appoint Lieutenant-General Çevik Bir of Turkey as Force Commander of UNOSOM II.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

93-09061 4110b (E) 160293 160293 160293

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/25296
16 February 1993
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 16 FEBRUARY 1993 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 10 February 1993 concerning your proposal to appoint Lieutenant-General Çevik Bir of Turkey as Force Commander of the United Nations Operations in Somalia (UNOSOM II) has been brought to the attention of the members of the Council. They agree with the proposal contained in your letter.

(Signed) Ahmed SNOUSSI
President of the Security Council

93-09067 3793h (E) 160293 160293 160293

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/25297
28 January 1993
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 5 JANUARY 1993 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you of fresh violations of Iraqi airspace by United States aircraft for purposes of reconnaissance and provocation. They have been as follows:

1. At 1535 hours on 26 December 1992, a hostile formation consisting of four aircraft and flying at an altitude of 8,000 to 9,000 metres broke the sound barrier over the city of Nasiriyah.

2. At 1610 hours on 26 December 1992, a hostile formation consisting of two aircraft and flying at an altitude of 8,000 to 9,000 metres also broke the sound barrier over the city of Nasiriyah.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

93-09025 3867f (E) 170293 170293

170293